

MEMO ENDORSED



THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007-2601

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MICHAEL A. CARDOZO
Corporation Counsel

January 9, 2008

BY ECF

Honorable Lewis A. Kaplan
United States District Judge
Southern District of New York
500 Pearl Street, Rm. 1310
New York, New York 1007-1312

Re: Costa v. City of New York, et al.,
07 Civ. 8032 (LAK)(AJP)
Law Dep't. No.: 2007-029207

Dear Judge Kaplan:

I am an Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, attorney for the defendants in the above-referenced action. I write to request that defendants' time to submit their reply in further support of their Motion to Dismiss the Amended Complaint, be extended from January 11 until January 21, 2008. This is defendants' first request for an extension of time to reply, and plaintiff's counsel consents to this request.

This request is necessary because due to other pre-existing deadlines, including the submission of responses to extensive discovery requests in Gertsakis v. NYC DOHMH, 07-Civ.-2235 (TPG), I will be unable to complete the reply papers within the five days provided by Local Civil Rule 6.1(b). Accordingly, the defendants respectfully request that the Court enlarge their time to serve their reply papers in further support of their Motion to Dismiss until January 21, 2008.

I thank the Court for its consideration of this request.

Respectfully submitted,

SO ORDERED

ECF: /s/

Ivan A. Mendez, Jr.
Assistant Corporation Counsel

cc: David M. Fish

(By ECF) LEWIS A. KAPLAN

1/14/08 SDJ